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18 Attorneys for Defendant  
19 CITY OF DALY CITY

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

|                          |   |                                       |
|--------------------------|---|---------------------------------------|
| <b>JEFF RODRIGUEZ</b>    | ) | Case Number: C 07-00383 CRB           |
|                          | ) |                                       |
| Plaintiff,               | ) | <b>STIPULATION AND ORDER FOR</b>      |
|                          | ) | <b>CONTINUANCE OF CASE MANAGEMENT</b> |
| v.                       | ) | <b>CONFERENCE DUE TO PENDING</b>      |
|                          | ) | <b>SETTLEMENT</b>                     |
| <b>CITY OF DALY CITY</b> | ) |                                       |
|                          | ) | Date: August 8, 2008                  |
| Defendant.               | ) | Time: 8:30 a.m.                       |
|                          | ) | Courtroom: 8                          |
|                          | ) | Judge: Hon. Charles R. Breyer         |
|                          | ) |                                       |

1 The Parties to the above-entitled action jointly submit this Stipulation and Order for  
2 Continuance of Further Case Management Conference Due to Pending Settlement and request  
3 the Court to continue the further case management conference currently scheduled to take place  
4 on August 8, 2008 at 8:30 a.m.

5 IT IS HEREBY STIPULATED by and between Plaintiffs and Defendant that:

6 1. Since the parties participated in mediation before Court-appointed mediator Eric  
7 Angstadt on November 28, 2007, the parties have been engaged in extensive settlement  
8 negotiations;

9 2. On or about June 12, 2008, the parties arrived at a comprehensive settlement of  
10 this matter;

11 3. The parties are in the process of finalizing all terms and conditions pertaining to  
12 this settlement, and anticipate timely approval of the proposed settlement from the City Council  
13 and from each consenting Plaintiff. The parties anticipate being able to submit a final settlement  
14 agreement to this Court for its approval in the next few weeks;

15 4. Due to the pending settlement, and to avoid incurring further fees and costs in this  
16 matter, the parties jointly request that the Further Case Management Conference currently  
17 scheduled to take place on August 8, 2008 at 8:30 a.m. be continued to September 12, 2008, by  
18 which time the parties expect to have a fully executed settlement agreement (and related  
19 documents) to present to the Court for approval.

20 **IT IS SO STIPULATED.**

21  
22 Respectfully submitted,

23 Dated: July 3, 2008

**RAINS LUCIA STERN, P.C.**

24 / s /

25 By: Peter A. Hoffmann  
26 Attorneys for Plaintiff Jeff Rodriguez and all  
27 Consenters

1 Dated: July 3, 2008

MEYERS, NAVE, RIBACK, SILVER & WILSON

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3 / s /

4 By: Samantha Zutler  
Attorneys for Defendant City of Daly City

5  
6 **IT IS SO ORDERED.**

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9 Dated: July 7, 2008

